OIPE DOCUMENT PREPARATION

Retrieve a bundle of new applications from shelf. If a reexam application is in the bundle, forward this application to Marsha; reexams are not processed by the contractor.

Determine application type and retrieve required number of application serial number labels (one application = 1 uniquely numbered label). Serial numbers should be used in order by (mail room) date. (Under the current system, the Government pulls total number of new labels needed for number of applications received on any given day; log is maintained showing range of numbers by date.)

Design application - serial number begins with 29

Utility application - serial number begins with 09

Provisionals - serial number begins with 60

Reissues - use same label type as parent application

Plants - use same labels as for utility applications

To "set up" an application folder (file wrapper, file jacket, case file)

Retrieve the first application package and an empty application folder:

Designs - lavender folder

Utilities - green folder (green and yellow starting January '98)

Provisionals - blue and white folder.

<u>Plants</u> - same folder as utility applications. (Plant applications require the preparation of two complete file jackets.)

<u>Reissues</u> - currently, the same type folder as the original application with a Reissue tag is used; as soon as they are available from the printer, reissue folders will be **white with an orange stripe.**

A <u>Continued Prosecution Application (CPA)</u> is not assigned a new serial number nor should it be placed in a new file jacket. If a CPA has been sent to the Doc Prep section from Open/Sort, the CPA should promptly be forwarded to RAM in accordance with established instructions. A File Wrapper Continuation (FWC) filed after December 1, 1997, should be treated as a CPA.

On the "Contents" side of the folder, place a serial number bar code label over the

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top edge of the word "Contents." (For a plant application, only one of the two folders prepared for each application has a serial number bar code label affixed to it.)

For any Design application filed on or after January 1, 1998, the sticky label (form PTO-436A) is to be affixed to the face of the file as shown in Attachment 1.

If the contractor places application papers in the wrong folder and these papers subsequently are erroneously endorsed during the scanning process, it is the contractor's responsibility to correct the error by placing the application in the correct file jacket and taping over each of the erroneous endorsements. The Government will provide the Mono Correction Tape to be used for this function. The contractor also is required to correct any erroneous PALM entries. (See Appendix 3 for detailed information on correcting CPA/FWC errors.)

Process the application papers as follows.

- 1. Identify and separate documents to be scanned and not to be scanned (see Appendix A).
 - -- "Scan" documents will have the application serial number printed on each page during the scanning process.
 - --Documents that do not get scanned need to be serialized (i.e., have a monarch label affixed) to prevent loss.
- 2. Applications submitted with a "Standard Application Format" (see Attachment 2 for examples of this format) must be identified by writing the letter "B" on the front of the file wrapper in the upper right corner "Initials" area. The "B" should be large enough to readily see but not so large as to obliterate other information. In addition, the contractor should forward to the Director, OIPE a weekly count of applications received which contained a Standard Application Format.
- 3. Remove all staples and clips from material to be scanned. Be careful to keep pages of each individual document together.
- 4. Clip "Scan" documents together and set aside.
- 5. Staple sets of extra drawings together.
- 6. Determine whether fee payment is included.

Review the application package and determine the number of monarch labels needed --two labels for the file jacket,

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- --one label for the assignment cover letter (if present) (never affix a monarch label to the assignment form itself), and
- --one label for each of the Do Not Scan documents in accordance with the following list.

(Currently, the Government automatically prints 7-10 monarch labels for each application prior to processing that application. But it is up to the contractor to determine whether to use this method or to count the exact number needed for an application prior to generating only that number of monarch labels.)

Attach Monarch Labels as follows:

Extra Transmittal Letter copies	1 st Page/each copy
Prior art	1 st Page
Information Disclosure Statement *	1st Page
Standard Bib Data Form	1 st Page
Other Reference Material	1 st Page
Applicant Postcard	back of each
Assignment recordation documents	Cover sheet only
Biotech diskette	Each disk
Stapled Sets of Extra Drawings	1 st page each set
Microfilm	Film jacket
Photographs	Each
Petitions	1 st page

^{*}Be sure to securely clip together all pages of an Information Disclosure Statement

NOTE: Plant patent applications consist of two complete copies of the application. One copy should be processed as set forth above and placed in the outer jacket (i.e., the one with the serial number bar code label). Each document in the second copy (inner jacket) should have a monarch label affixed to the first page of each document.

To generate the monarch (date/serial number) labels needed

scan (do not key) in date from monarch label applied during open/sort and scan (do not key) serial number barcode label, key in desired number of labels, and press "Enter."

Affix a monarch label over the word "Initials" on the "Contents" side of the folder and place a second monarch label in the upper left corner of the front of the folder. **BE VERY CAREFUL TO USE THE CORRECT MONARCH LABEL. ERRONEOUS**

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USE OF MONARCH LABELS FROM A PREVIOUS APPLICATION WILL CREATE MAJOR PROCESSING PROBLEMS.

Affix a monarch label to each Do Not Scan document in accordance with the above chart. Affix a monarch label to the receipt postcard, check monarch label date on postcard and insure it is correct, verify contents of application against the postcard, **note any missing documents on the post card and the transmittal letter,** verify that the postcard has a mailing address and postage for either the applicant's attorney or the applicant, and place postcard in pile for outgoing mail. If a postcard does not contain a return address, the contractor should check the Transmittal Letter or Declaration and use that information to properly address the postcard. If a postcard is addressed to the PTO, the contractor should affix a white label over the PTO mailing address and properly address the postcard for return to the applicant's attorney or the applicant. **Under no circumstances should a postcard with no address or addressed to the PTO be placed in outgoing mail.** If no postcard was provided by the applicant, verify the application's contents against the transmittal letter and note any missing items on that letter.

Assemble the application documents as follows:

- 1. Determine whether assignment form and cover letter have been submitted. If so, determine whether assignment fee has been made by separate payment (check or deposit account).
 - --If the assignment fee was submitted by separate check or deposit account authorization, staple the check (using only one staple), letter, and form together (check on top) and put in a pile for FORWARD TO ASSIGNMENT BRANCH. Be sure to affix the monarch label to the cover letter **before** separating the assignment package from the rest of the application package.
- 2. Staple or clip together any of the following Finance items which are present
 - --any fee documents such as Assignments paid by bulk check, Extensions of Time, Petitions, etc.,
 - --an extra copy (if available) of the Transmittal Letter *if the applicant is paying by deposit account.*
 - --bank check (staple the check to the inside of the small flap in the middle interior of the folder).
- 3. Band or clip Do Not Scan documents together and place a "Do Not Scan" sheet on top of the bundle.
- 4. Assemble the documents inside the file jacket in the following order:

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-- Do Not Scan documents (on bottom)

- --Scan documents (next)
- --Finance documents (on top).

Insert documents under flap in middle of application folder using rubber bands to secure the folder as needed.

If the application is too large to fit into the file jacket, place at least the specification and the claim in the application folder, place the folder on top of the remaining application documents, and place a sufficient number of rubber bands around the entire bundle to insure the parts do not become separated. Affix one or more monarch labels to the box or other container in which the remainder of the application is housed.

If the application is for a sequence

- --affix a monarch label to the disk,
- --set the disk aside for delivery to STIC,
- --process the remainder of the application in accordance with the above instructions,
- --attach a "SEQ" tag to the application,
- --use the PALM terminal and scan
 - -- the transaction code 1194 bar code label and
 - --the serial number bar code label on the application folder, and
- --place the application on the sequence application hold shelf.

Each sequence application should contain a disk and a paper copy of the sequence listing contained on the disk. If either or both of these items is missing from an application, the contractor should

- --write "No Disk" on the SEQ tag if there is no disk in the application;
- --write "No Listing" on the SEQ tag if there is no listing in the application,

The contractor will deliver sequence disks to STIC at least once each day and will, while at the STIC facility, retrieve any completed sequence reports for delivery to OIPE. When the report is delivered from STIC, the contractor will match the report with the appropriate file on the sequence application hold shelf and will PALM the case to RAM in the same manner as other applications. Sequence cases require expedited processing and are placed in a mail tub designated only for sequence cases.

In some instances an OIPE employee may retrieve a sequence application from the hold shelves in order to perform RAM processing. When that occurs, the OIPE employee will leave a charge card on the shelf identifying which application was taken, what date it was taken, and where it was, taken to. If the sequence listing is returned from STIC before the application file is returned, the listing should be attached to the charge card and both held

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on the shelves until the application file is returned and matchup can occur.

To release a file (no matter what type) to the next processing step (i.e., RAM), use a PALM terminal and

- -- wand the "1019" bar code (code which activates serial number),
- --wand the date from the monarch label.
- --key in the serial number shown on the monarch label,
- --press Enter,
- --wand the bar code serial number label (this step serves as a verification that the correct serial number is in PALM; DO NOT SKIP THIS STEP),
- -- wait to hear a double beep,
- -- wand the bar code for transaction code 10 17,
- --wand the serial number bar code label,
- -- wait to hear a double beep,
- --place the file in the appropriate location for delivery to RAM.

(A double beep when using PALM indicates the data was accepted; a single beep indicates an error and the phrase OOPS followed by an error code will be displayed in the window. Definitions of the error codes can be found in Appendix C.)

NOTE: Design applications require expedited processing and are placed in a mail tub designated only for design cases. Reissue applications must have a "REISS" tag attached to each and are placed on a designated shelf pending further processing.

APPENDIX A

SCAN/NOT SCAN LIST

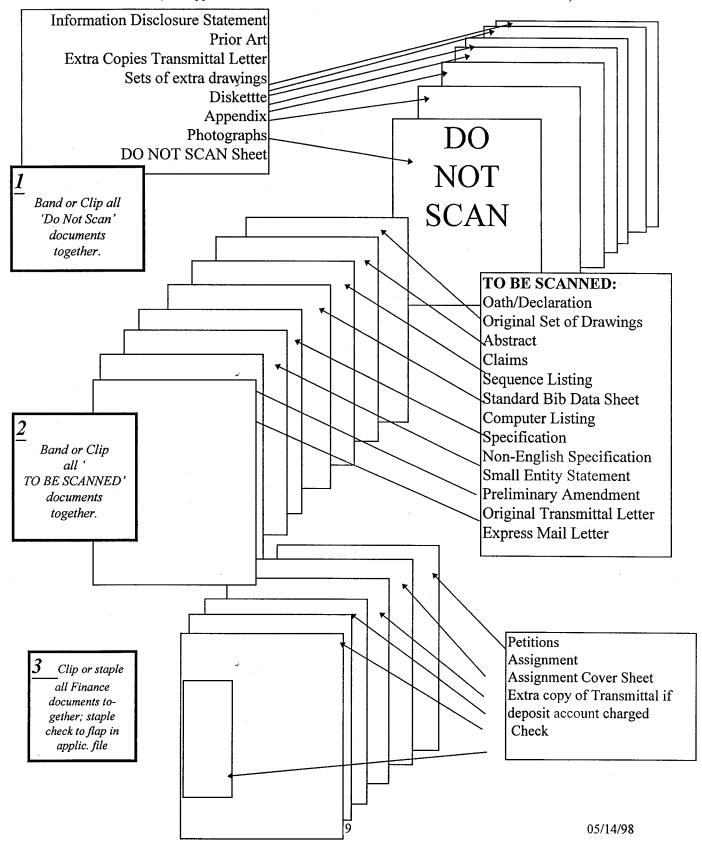
To Be Scanned:

- Original Transmittal Letter (and Rule 1.60 Transmittal)
- Express Mail letter
- Small entity statement
- Standard Bib Data Sheet
- Preliminary amendments
- Specification
- Non-English Specification
- Computer listings
- Biotech sequence listings
- Claims
- Abstract
- Drawings
- Oath/Declaration
- Statement of Deposit of invention material with a laboratory, for example American Type Culture Collection. (Sequence)
- ⇒ Only the original copy of the Transmittal letter should be prepared for scanning.
- ⇒ Only one copy of the drawings should be prepared for scanning.
- ⇒ When English translation of a foreign specification is <u>not</u> present, prepare the foreign specification for scanning.
- ⇒ For <u>reissue applications</u>, all documents received with the application should be prepared for scanning, except US ribboned copy and **US** patents.

Do Not Scan:

- Applicant Postcard
- Bank check
- Extra copies of the Transmittal Letter
- Prior art
- Requests for Extension of Time
- Information Disclosure Statement
- Other Reference Material
- Assignment recordation
- Biotech diskette
- Stapled Sets of Extra Drawings
- Microfilm
- Photographs
- Petitions (except those filed with reissue applications)
- Declaration to Support Filing and Submission under 37 CFR 1.821 1.825.
 (Sequence)
- All Appendices

SET-UP FOR APPLICATION DOCUMENTS INSIDE FILE WRAPPER (See Appendix A for Full List of Documents to be Scanned and Not Scanned)



OFFICE OF INITIAL PATENT EXAMINATION PRE-EXAM QUALITY BULLETIN

Number 98-08

Page 1 of 9

August 28, 1998

SUBJECT:

ALERT SHEETS AND NOTICES TO FILE CORRECTED APPLICATION PAPERS

AREA OF INTEREST: Formalities Examination Units

SUMMARY:

Due to implementation of Application Capture and Retrieval System (ACRS) in August 1998, there are some changes in the way patent applications look as well as some changes in the processing of new patent applications that affect Formalities Review.

- 1. Beginning August 10, 1998, Document Preparation (Doc Prep) began screening all new patent applications for 'unscannable' papers as follows:
- Legal-size paper
- Onion skin paper (too thin)
- Double sided pages
- Pages of specification with print in two columns
- Handwritten papers
- Glossy paper
- Non-white background (e.g. a photocopy of a photograph)
- 2. They place the unscannable papers behind an ALERT Sheet in the file jacket.

This Bulletin describes procedures for Formalities Examiners when an application has an ALERT sheet with documents attached.

PLEASE REFER TO OIPE BULLETIN 98-05 FOR RELATED INFORMATION

<u>INDEX:</u>

Formalities Examination

ALERT Sheet Corrected Papers

EFFECTIVE DATE:

Effective Immediately

APPROVED: Thomas 1 Hont DATE: 8/29/98

DISTRIBUTION

Director, Office of Initial Patent Examination

Branch Chiefs

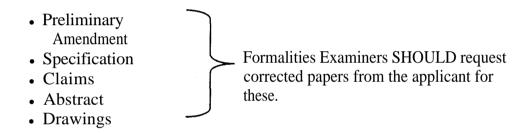
All Legal Instruments Examiners Director, Office of Patent Publication Manager, Initial Patent Examination Division

Team Supervisors/Team Leaders
OIPE Program Analysts

Director, Technology Center 2850

FORMALITIES REVIEW:

- 1. Look for ALERT Sheets (May be found in any type of application (not just ACRS cases):
 - Beginning August 10, 1998, **Doc** Prep began pulling out unscannable papers for Scanning.
 - They completed an Unscannable Papers Sheet for <u>each</u> document and inserted it in the application to be scanned. (See **Attachment 1**)
 - They attached the originals to the ALERT Sheet under the flap on top of DO
 NOT SCAN documents. (See Attachment 2)
- 2. Look for the following documents under the ALERT Sheet:



- a) Complete the appropriate PTO Notice requesting replacement pages:
 - Filing Date Granted
 - -Complete Form 1660 (See Attachment 3)
 - Filing Date <u>Not Granted</u>
 - -Attach Checklist (Form 1674) to Form 1123.
 - -Place check mark indicating form is attached (Attachments 4 & 5)
- b) Leave the originals behind the ALERT Sheet until the response is received.

- 3. Look for the following documents under the ALERT Sheet:
 - Transmittal Letter
 - Oath or Declaration
 - Small Entity Statement
 - Change of Address
 - Power of Attorney
 - Anything not listed under #2 above.

Formalities Examiners SHOULD NOT request corrected papers from the applicant for these.

- a) Remove the originals from behind the ALERT Sheet.
- b) Refile them in the aplication
- c) If no other documents are attached, remove the ALERT sheet and set aside.
- 4. Look for Scanning Deficiency Sheet (placed by Scanning Operation) (Attachment 6).
 - a) Request Corrected Papers for
 - Preliminary Amendment
 - Specification
 - Claims
 - Abstract
 - Drawings

Same as Unscannable Papers,

Formalities Examiners SHOULD request corrected papers from the applicant for these

- b) Do not Request Corrected Papers for:
 - Transmittal Letter
 - Oath or Declaration
 - Small Entity Statement
 - Change of Address
 - Power of Attorney
 - Anything not listed under #4 above.

Formalities Examiners SHOULD NOT request corrected papers from the applicant for these.

c) Leave the Scanning Deficiency Notice in the application.

Everything else is processed as before.

United States Patent & Trademark Office

Office of Initial Patent Examination – Document Preparation



Unscannable Application paper found during Document Preparation:

Type of Document:				
☐ Transmittal Letter				Oath or Declaration
☐ Small Entity Statement				Drawing sheet(s)
☐ Preliminary Amendment				Biotech Listings
☐ Specification page(s)				Computer Listings
□ Claims				Non-English Specification
	Abstract			Other
	☐ Specification, Claims, Abstract (All pages)			
Application papers are not suitable for scanning and are not in compliance with 37 CFR 1.52 because:				
	☐ <u>Legal-size</u> All sheets must be either A4 (21 cm x 29.7 cm) or 8-1/2"x 11". (8 ½" x 14")			
□ <u>Too thin</u> -		Papers are not strong and durable.		
□ <u>Double-sided</u> -		Papers may not be printed on both sides.		
☐ <u>Two-Column Specification</u> - I		Format can not be electronically reproduced		
☐ <u>Hand-written</u> -		Papers are not typewritten or mechanically produced.		
	Glossy pages -	Papers are not non-shiny.		
□ Non-white background -		Papers are not white, e.g. photocopies of photographs.		

ALERT

Attached application papers were determined to be unscannable during Document Preparation processing.

These papers may be necessary for

- RAM Processing
- Classification
- Formalities Review

-FORMALITIES REVIEW—

If any of the following are attached, Corrected Papers must be requested from the Applicant:

- Preliminary Amendment
- Specification
- Claims
- Abstract
- Drawings



UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231

APPLICATION NUMBER FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTY. DOCKET NO/TITLE

DATE MAILED:

NOTICE TO FILE CORRECTED APPLICATION PAPERS Filing Date Granted

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to correct the informalities indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment: 1. An Abstract, commencing on a separate sheet (37 CFR 1.72(b)). 2. The Claim(s) commencing on a separate sheet (37 CFR 1.75(h)). ☐ 3. A substitute specification in compliance with 37 CFR 1.52 because: All sheets must be the same size and either A4 (21 cm x 29.7 cm) or 8-1/2" x 11". Papers are not flexible, strong, smooth, non-shiny, durable, and white. Papers are not typewritten or mechanically printed in permanent dark ink on one side. Papers contain hand lettering. Papers contain improper margins. Each sheet must have a left margin of at least 2.5 cm (1") and top, bottom and right margins of at least 2.0 cm (3/4"). Line spacing on the sheets is not 1-1/2 or double-spaced. The pages of specification including the abstract and claims are not consecutively numbered starting with the number "1." The pages of specification do not contain page numbers centrally located within the top or, preferably, bottom margin. 4. Substitute drawings in compliance with 37 CFR 1.84 because: ☐ The drawings or copy of drawings are not suitable for electronic reproduction. All drawing sheets must be the same size and either A4 (21cm x 29.7 cm) or 8-1/2" x 11". Each sheet must include a top and left margin of at least 2.5 cm (1"), a right margin of at least 1.5 cm (9/16") and a bottom margin of at least 1.0 cm (3/8"). are not of sufficient clarity, contrast and quality for electronic reproduction. New typewritten or mechanically printed pages of sufficient clarity, contrast and quality for electronic reproduction, together with a statement that the new pages contain the same material as those on deposit are required. ☐ 6. An new oath or declaration in compliance with 37 CFR 1.63 setting forth the residence (city and state or foreign country) of each applicant (or legal representative under 37 CFR 1.42 or 1.43 of each applicant). 7. An English translation of the non-English language application, the \$130.00 fee set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)). ■ 8. OTHER: Direct the reply and any questions about this notice to "Attention: Box Missing Parts." A copy of this notice MUST be returned with the reply.

Customer Service Center Initial Patent Examination Division (703) 308-1202

FORM PTO-1660 (Rev. 7/97)

PART 1 - ATTORNEY/APPLICANT COPY

CHECKLIST FOR PATENT APPLICATIONS

This application does not meet the requirements of 37 CFR 1.53 to be accorded a filing date. The following is a checklist of new format items required by the rules of practice for patent applications filed on or after September 23, 1996. The purpose of this Checklist is to aid applicants in the resubmission of applications that have not been accorded a filing date and to ensure compliance with 37 CFR 1.51-1.53, 1.72, 1.75, 1.84. If the resubmitted application meets the requirements of 37 CFR 1.53 to be accorded a filing date but does not meet the requirements stated below, applicant will receive a "Notice to File Corrected Application Papers." If the following required items are not timely resubmitted, the resubmitted application will become abandoned:

SPECIFICATION

- 1. All Sheets of paper must be the same size and either A4 (21cm x 29.7 cm) or 8-1/2'x 11".
- 2. Each sheet of paper must have a left margin of at least 2.5 cm (1") and top, bottom and right margins of at least 2.0 cm (3/4").
- 3. Papers must be flexible, strong, smooth, non-shiny, durable and white.
- Papers must be written by either a typewriter or mechanical printer in permanent dark ink or its equivalent on but one side. Papers can not contain hand lettering and/or initials except for signature requirements.
- 5. Line spacing on sheets must be 1-1/2 or double-spaced.
- The sheets of the specification including the abstract and claims must be consecutively numbered starting with the number "1." Page numbers must be centrally located above or preferably, below the text.
- 7. An English translation of any non-English language application, the \$130.00 fee set forth in 37 CFR 1.17(k), and a statement that the translation is accurate, must be presented.
- 8. Papers must have sufficient clarity, contrast and quality for electronic reproduction.
- 9. Claim or daims must commence on a separate sheet.
- An Abstract must commence on a separate sheet. (The Abstract requirement is not applicable for design applications)

DRAWINGS

- 1. All drawing sheets must be the same size and either A4 (21 cm x 29.7 cm) or 8-1/2"x 11".
- Each drawing sheet must include a top and left margin of at least 2.5 cm (1"), a right margin of at least 1.5 cm (9/16") and a bottom margin of at least 1.0 cm (3/8").
- 3. The drawings must have sufficient darity, contrast and quality for electronic reproduction.



UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	CIBCT MANAGE AND AND	
ALL DOWN OUT HOMBER	FICHORECEIFT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NOUTTOLE

DATE MAILED:

NOTICE OF INCOMPLETE APPLICATION

A filing date has NOT been assigned to the above identified application papers for the reason(s) indicated below.

All of the items noted below and a newly executed oath or declaration covering the items, unless otherwise indicated, must be submitted within TWO MONTHS of the date of this Notice, or proceedings on the application will be terminated (37 CFR 1.53 (e)).

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the items required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.1 7(i)). If the petition states that the application is complete, a request for refund of the petition fee may be included in the petition.

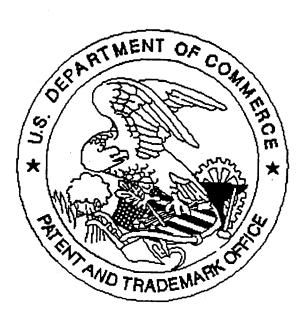
	The specification (description and claims):	•		
	a. is missing.			
	b. does not include a written description of the inver			
	c. does not include at least one claim as prescribed	•		
	A complete specification (including at least one claim i 35 U.S.C. 112 is required.	in a nonprovisional application) as prescribed by		
		S.C. 113 (first sentence) requires a drawing "where necessary for the		
	understanding of the subject matter sought to be pater Applicant should reconsider whether drawings are ned			
	3. OTHER:			
Add	ditional observations on the above-identified application p	apers:		
\Box	1. Pages	of the specification are missing.		
	2. Figures	described in the specification are missing.		
Dire	ect the reply and any questions about this notice to "Atten	ntion: Box Missing Parts."		
C = 4	closed:			
	plosed. "General Information Concerning Patents." See page			
	Notice to File Missing Parts of Application. Form PTO-1			
	*Checklist for Patent Applications."			
	Other:			
_	_ Other			

A copy of this notice MUST be returned with the reply.

Customer Service Center Initial Patent Examination Division (703) 308-1202

United States Patent & Trademark Office

Office of Initial Patent Examination -- Scanning Division



Application deficiencies found during scanning:

1.	Application papers are not suitable for scanning and are not in compliance with 37 CFR 1.52 because:			
	☐ All sheets must be either A4 (21 cm x 29.7 cm) or 8-1/2"x 11".			
	Pages do not meet these requirements			
	Pages do not meet these requirements. □ Papers are not □ flexible, □ strong, □ smooth, □ non-shiny, □ durable, and □ white.			
	☐ Papers are not ☐ typewritten or mechanically printed ☐ in permanent ink ☐ on one side.			
	☐ Papers contain improper margins. Each sheet must have a left margin of at least			
	2.5 cm (1") and top, bottom and right margins of at least 2.0 cm (3/4"). ☐ Papers contain hand lettering.			
2.	Drawings are not in compliance and were not scanned because: ☐ The drawings or copy of drawings are not suitable for electronic reproduction. ☐ All drawings sheets are not either A4 (21 cm x 29.7 cm) or 8-1/2" x 11". ☐ Each sheet must include a top and left margin of at least 2.5 cm (1"), a right margin of at least 1.5 cm (9/16") and a bottom margin of at least 1.0 cm (3/8").			
3.	Page(s) are not of sufficient \square clarity, \square contrast and \square quality for electronic reproduction.			
4.	Page(s) are missing.			
O	THER:			